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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

TEVA PHARMACEUTICALS USA, INC.,

Plaintiff,

vs.

CORCEPT THERAPEUTICS, INC., et al.,

Defendants.

Case No. 5:24-cv-03567-BLF

Honorable Beth Labson Freeman

**DEFENDANTS' NOTICE OF  
WITHDRAWAL WITHOUT PREJUDICE  
OF MOTION FOR PROTECTIVE ORDER  
REGARDING PLAINTIFF'S 33 NON-  
PARTY DOCUMENT SUBPOENAS**

**NOTICE OF WITHDRAWAL WITHOUT PREJUDICE OF**  
**DEFENDANTS' MOTION FOR A PROTECTIVE ORDER (DKT. 71)**

On January 30, 2025, Defendants Corcept Therapeutics, Inc. and Optime Care Inc. jointly filed a motion for a protective order regarding 33 non-party document subpoenas purportedly propounded by Plaintiff Teva Pharmaceuticals USA, Inc. *See* Dkt. 71. Defendants' motion was not noticed for any particular hearing date. Defendants noted that they were filing the motion before this Court out of an abundance of caution and to preserve their rights because January 30, 2025 was the potential objection deadline for at least some of the subpoenas, and, because as of that date, no Magistrate Judge had yet been named for discovery in this case. *Id.* at 1 n.1. Defendants indicated that upon the naming of a Magistrate Judge, Defendants would re-submit their motion to that Magistrate Judge in accordance with that Magistrate Judge's individual requirements for discovery disputes and briefs. *Id.* On February 3, 2025, this Court assigned discovery matters to Magistrate Judge DeMarchi. Accordingly, Defendants hereby withdraw their motion (Dkt. 71) without prejudice, and they will re-submit this dispute to Magistrate Judge DeMarchi to the extent required.

1 DATED: February 10, 2025

2 By: /s/ Robert W. Stone

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1 **CIVIL LOCAL RULE 5-1 ATTESTATION**

2 I, Robert W. Stone, am the ECF user whose credentials were utilized in the electronic filing  
3 of this document. In accordance with Civil Local Rule 5-1(i)(3), I hereby attest that concurrence in  
4 the filing of this document has been obtained from each of the signatories listed above.

5  
6 DATED: February 10, 2025

7  
8 By /s/ Robert W. Stone  
9 Robert W. Stone

10  
11  
12 **CERTIFICATE OF SERVICE**

13 I hereby certify that on this 10th day of February 2025, I electronically transmitted the  
14 foregoing document to the Clerk's Office using the CM/ECF System, causing it to be electronically  
15 served on all attorneys of record.

16  
17 By /s/ Robert W. Stone  
18 Robert W. Stone